IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.6462 OF 2006

Kataria Transport Co. Ltd. .... Petitioner
Vs.
The State of Maharashtra & Anr. .... Respondents

Ms A.P. Madhuri for the Petitioner.

Shri R.D. Rane, GP, for the Respondents.

CORAM: R.M.S. KHANDEPARKAR &
V.M. KANADE, JJ.

DATED: SEPTEMBER 28, 2006

P.C:

Taken on board on request.

Rule, Rule is made returnable forthwith. Heard the learned Counsel for the parties. By this Petition the Petitioner is challenging the order of seizure of Goods Truck bearing Registration No.GJ-1-UU-6081, which was seized within the city of Bombay, as the same was more than 8 years old and it was not complying with Euro-I National Standards with regard to emissions. The learned Counsel for the Petitioner brought to our notice the judgment of our Court in Writ Petition No.5373 of 2006 in an almost similar matter. In view of the same, we dispose of the above Petition by accepting the request of the Petitioner for depositing with the Chief Minister's Relief Fund an amount of Rs.20,000/- and on

such deposit, the Petitioner shall also file an undertaking before Respondent No.2 that the vehicle shall not ply within the Municipal Limits of Greater Mumbai. Respondent No.2 is directed to seek compliance of the order and release the vehicle only for one way journey out of the limits of Greater Mumbai. The petition is accordingly disposed of.

(V.M. Kanade, J.) (R.M.S. Khandeparkar, J.)

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